

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

15-CR-149-FPG

FRANK R. PARLATO, JR.,

Defendant.

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**DEFENDANT'S RESPONSE TO GOVERNMENT'S MOTION FOR  
BAIL REVOCATION**

DATED: Buffalo, New York  
October 13, 2017

Respectfully submitted,

PAUL J. CAMBRIA JR., ESQ.  
HERBERT L. GREENMAN, ESQ.  
JUSTIN D. GINTER, ESQ.  
LIPSITZ GREEN SCIME & CAMBRIA LLP  
Attorneys for Defendant  
FRANK R. PARLATO  
Office and Post Office Address  
42 Delaware Avenue, Suite 120  
Buffalo, New York 14202  
(716) 849-1333  
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TO: ELIZABETH R. MOELLERING, ESQ.  
ASSISTANT UNITED STATES ATTORNEY  
138 Delaware Avenue  
Buffalo, New York 14202

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STATE OF NEW YORK     )  
COUNTY OF ERIE        )ss  
CITY OF BUFFALO        )

JUSTIN D. GINTER, ESQ. being duly sworn, deposes and says:

1. I along with Paul J. Cambria, Jr., Esq. and Herbert L. Greenman, Esq. represent the defendant Frank R. Parlato, Jr. This affidavit is submitted in opposition to the Government's motion to revoke the defendant's bail.

2. On November 6, 2017, the Government filed a motion for bail revocation (Dkt. Entry No. 90). The Government's motion papers are based solely on their reading of two blog posts by Mr. Parlato.

3. Based on their subjective opinion, the Government states unequivocally that Mr. Parlato violated a condition of his release by traveling without the Court's permission to Clifton Park, New York.

4. Mr. Parlato has informed counsel that he has not traveled to Clifton Park, New York while under pretrial supervision.

WHEREFORE, your deponent prays that this Court rule accordingly.

/s/Justin D. Ginter  
JUSTIN D. GINTER, ESQ.

Subscribed and sworn to before me this  
13th day of October, 2017.

s/Kristina Drewery  
Commissioner of Deeds  
Qualified in Erie County  
My Commission Expires December 31, 2018

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,  
*Plaintiff,*

v.

15-CR-149-FPG

FRANK R. PARLATO,  
CHITRA SELVARAJ,  
*Defendants.*

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 13, 2017, I electronically filed the forgoing document with the Clerk of the District Court using the CM/ECF system.

I hereby certify that on October 13, 2017 a copy of the foregoing was also delivered to the following using the CM/ECF System:

ELIZABETH R. MOELLERING, ESQ.  
ASSISTANT UNITED STATES ATTORNEY  
138 Delaware Avenue  
Buffalo, New York 14202

DATED: Buffalo, New York  
October 13, 2017

s/ Amanda E. Workman  
Amanda E. Workman